

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ALLIANCE FOR AUTOMOTIVE
INNOVATION

Plaintiff,

vs.

MAURA HEALEY, ATTORNEY GENERAL
OF THE COMMONWEALTH OF
MASSACHUSETTS in her official capacity,

Defendant.

C.A. No. 1:20-cv-12090-DPW

JOINT FINAL PRETRIAL LIST OF ADMITTED EXHIBITS

Plaintiff Alliance for Automotive Innovation (“Auto Innovators” or “Plaintiff”) and Defendant Maura Healey, Attorney General of the Commonwealth (the “Attorney General”) respectfully submit this Joint List of the exhibits that one or both parties will seek to admit into evidence at the trial of Counts I and II of the Complaint and, where a particular exhibit is objected to, the Court has indicated that it will receive that exhibit. Exhibits 1-12 are joint exhibits that will be offered by both parties. Exhibits 13-80 will be offered by Plaintiff. Exhibits 501-527 will be offered by the Attorney General.¹

¹ During earlier meet and confer discussions, the AG had agreed that Exhibits 522, 523, 524, 525, and 527 would be admitted for certain specified purposes and not for the truth of the matters asserted therein. In light of the Court’s discussion with the parties during the June 10, 2021 hearing as to how the Court intends to use documents admitted in evidence, Auto Innovators agrees to remove this express limitation from the exhibit list while reserving its right to argue about the use and weight of the documents.

Trial Ex. No.	Dep. Ex. No.	Conf. Design.	Bates Nos.	Date	Description
1	78		AAI-AAI-0002635-2641	1/15/2014	2014 MOU between AAIA, CARE, Alliance, and Global Automakers
2	50	Conf.	AAI-GM-0000008 (native, 8 pages)	N/A	Slides re Vehicle & Vehicle Services Cybersecurity DLC Protection for Global A
3	72		N/A	2016	Cybersecurity Best Practices for Modern Vehicles (NHTSA)
4	81		AAI-AAI-0007281-7282	9/18/2017	Letter from SAE International to multiple recipients
5	55	Conf.	AAI-GM-0000030--32	4/1/2018	Data Link Connector Policy
6	38	Conf.	AAI-GM-0001192 (native, 43 pages)	7/20/2019	Slides re Global Cybersecurity NHTSA Meeting July 2019
7	58	Highly Conf.	AAI-GM-0001422-1511	various	CAN 1 4987/4986 Bus Topology Documents
8	2	Conf.	AAI-FCA-0011090-11094 and 11095 (native Excel)	6/29/2020	Diagnostic Services Secure Access Rights Supporting Document and Spreadsheet
9	4	Highly Conf.	AAI-FCA-0011200 (native, 28 pages)	10/1/2020	FCA Global Vehicle Cybersecurity Rollout
10			N/A	1/12/2021	<i>Request for Comments on NHTSA's Cybersecurity Best Practices for the Safety of Motor Vehicles Draft 2020 Update</i> , 86 Fed. Reg. 2481, 2481 (Jan. 12, 2021)
11	52	Highly Conf.	AAI-GM-0001585-1617	N/A	Global A Serial Data Architecture, Version 7.4.3 et seq.
12	158	Highly Conf.	AAI-GM-0001687	N/A	Slides re Onstar Telematics Architecture Security et seq.
13	5		AAI-FCA-0010998-11004	8/4/2015	Part 573 Safety Recall Report
14	36		AAI-AAI-0007279-7280	7/31/2017	Letter from Auto Alliance/Global Automakers to Bill Hanvey and Ray Pohlman

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15	70	Conf.	AAI-GM-0001065 (native, 23 pages)	5/2020	Slides re Global Cybersecurity NHTSA Meeting May 2020
16	95	Conf.	AAI-GM-0000035	8/16/2018	GM Product Cybersecurity Defense-in-Depth
17	99	Conf.	AAI-GM-0000029	3/17/2018	GM Policy on 3rd Party Aftermarket DLC Devices
18	122	Conf.	GP0000016-19	11/23/2020	Email from Joe Register to multiple recipients re Massachusetts Data Law Legal Challenge Materials
19	125		N/A	4/1/2021	Defendant's Second Amended Initial Disclosures
20	136	Conf.	AAI-ACA-0025198-25201	3/17/2021	Email from Aaron Lowe to Joe Register re Information SDRM
21	152		AAI-ACA-0011612	2/13/2020	Email from Brian Romansky to Aaron Lowe re Boston Legislative Briefing
22	153		AAI-ACA-0014716-14718 and attachment (total 31 pages)	7/23/2020	Email from Quinlan Brennan to Aaron Lowe re NHTSA Slides
23		Conf.	AAI-FCA-0011205-208	3/27/2021	Email from Alison Rodney to herself re Massachusetts Telematics Ballot Initiative with attached slides
24			N/A	2020	NHTSA, Cybersecurity Best Practices for the Safety of Modern Vehicles Draft 2020 Update (2020) https://www.nhtsa.gov/sites/nhtsa.gov/files/documents/vehicle_cybersecurity_best_practices_01072021.pdf
25			N/A	3/22/2021	Defendant's Response to Pl.'s First Request for Admission
26			N/A	4/26/2021	Defendant's Supplemental Responses to First Requests for Admission
27			N/A	4/30/2021	Defendant's Second Supplemental Responses to First Requests for Admission

Trial Ex. No.	Dep. Ex. No.	Conf. Design.	Bates Nos.	Date	Description
28			N/A	3/22/2021	Defendant's Response to Plaintiff's First Set of Interrogatories
29			N/A	4/26/2021	Defendant's Supplemental Response to First Set of Interrogatories
30			N/A	4/30/2021	Defendant's Second Supplemental Response to First Set of Interrogatories
31			N/A	5/7/2021	Defendant's Responses to Pl.'s Second Set of Interrogatories
32			N/A	2/24/2021	Defendant's Response to Pl.'s First Requests for Production
33			N/A	5/7/2021	Defendant's Responses to Pl.'s Second Set of Requests for Production
34			N/A	N/A	Daniel Garrie <i>curriculum vitae</i>
35			N/A	N/A	Bryson Bort <i>curriculum vitae</i>
36	41	Conf.	AAI-GM-0000022-24	9/15/2016	Product Cybersecurity Policy for Secure Development Lifecycle
37			N/A	2020	NHTSA, <i>2020 Recall Annual Report</i> , https://www.nhtsa.gov/sites/nhtsa.gov/files/documents/2020_nhtsa_recall_annual_report_021021-tag.pdf (last accessed May 18, 2021).
38		Conf.	AAI-GM-0000056	7/16/2019	Slides re NHTSA Cybersecurity Meeting
39		Conf.	AAI-GM-0000011	9/8/2015	Slides re Vehicle Cybersecurity Overview
40		Conf.	AAI-GM-0000013	3/14/2016	Slides re Message Authentication GFL Overview
41		Conf.	AAI-GM-0001567	8/7/2019	Slides re Electrical Architecture and Global A_Global B Security
42	39	Conf.	AAI-GM-0000028 (native, 22 pages)	11/20/2017	Slides re Product Cybersecurity Overview -- Cybersecurity Risk Committee
43		Conf.	AAI-GM-0000201	2/13/2021	Slides re Secure Programming and Secure Boot
44	40	Conf.	AAI-GM-0000014-16	1/28/2016	GM Vehicle Cybersecurity Guidelines

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45	53	Conf.	AAI-GM-0000012 (native, 5 pages)	N/A	Slides re Current Vehicle Data Control Points
46	56	Conf.	AAI-GM-0000053 (native, 1 page)	N/A	Data Access & Device Support for Data Link Connector (DLC/OBDII) Port -- GM Electrical Architectures
47		Conf.	AAI-FCA-0010921-28	10/18/2017	Global Vehicle Cyber Security: Vehicle Network Segmentation and Separation (Level 3)
48		Conf.	AAI-FCA-0010994	8/11/2015	FCA US LLC Chronology Select 2015 Vehicles, RA3/4 Improved Security Protection
49			AAI-FCA-0010995-97	9/25/2015	Part 573 Safety Recall Report
50		Conf.	AAI-FCA-0010935-39	11/8/2017	Global Vehicle Cyber Security: Authenticated In-Vehicle Messages (Level 5)
51		Highly Conf.	AAI-FCA-0011194 (native Excel)	N/A	Threat Analysis and Risk Assessment and Spreadsheet
52	106	Conf.	AAI-GM-0000002 (native, 6 pages)	N/A	Slides re Cybersecurity Strategy Global A et seq.
53	47	Conf.	AAI-GM-0000187 (native, 17 pages)	N/A	Slides re Secure Diagnostics & Secure Unlock
54	57	Conf.	AAI-GM-0000190	N/A	Global B Electrical Architecture Overview
55	59	Highly Conf.	AAI-GM-0001512-1541	various	Technical documents
56	98	Conf.	AAI-GM-0000009	N/A	3.2.1.2.5.8 Vehicle Cybersecurity
57		Conf.	AAI-FCA-0011005-53	11/5/2015	Brought In Mobile Device Security Requirements and Assessment Procedures
58		Conf.	AAI-FCA-0011054-89	11/5/2015	SDP Security Specification - v1.0

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59		Highly Conf.	AAI-FCA-0011196-99	12/1/2020	Document re ISO vs FCA
60			N/A	7/20/2020	Letter from James C. Owens of NHTSA to Rep. Chan. & Senator Feeney of Massachusetts Legislature
61	139	Conf.	AAI-ACA-0001427-1566	11/2020	Email from Bill Hanvey to Taylor Mitchell re Business Plan Artifacts with attachments
62	143	Conf.	AAI-ACA-0038562-38585	1/4/2021	Email from Bill Hanvey to multiple recipients re Mass Right to Repair Implementation 1/2/2021
63	133		AAI-ACA-0001650-1660	6/22/2015	Email from Aaron Lowe to Bill Long re ACA Telematics White Paper Questions
64	135		AAI-ACA-0011762	3/6/2020	Email from Aaron Lowe to Joe Register and others re NHTSA Meeting
65	137		AAI-ACA-0014013-14014	6/12/2020	Email from Aaron Lowe to Paul Fiore and Gabrielle Hopkins re NHTSA Call
66	138	Conf.	AAI-ACA-0014856	7/24/2020	Email from Aaron Lowe to Ray Pohlman re NHTSA
67	142	Conf.	AAI-ACA-0035131 and native attachments (32 pages)	11/18/2020	Email from Joe Register to multiple recipients re Today's Presentation & Business Model
68	144	Conf.	AAI-ACA-0039639 and native attachments (102 pages)	1/7/2021	Email from Joe Register to multiple recipients re OPCO business and financials
69	77		AAI-AAI-0002613-2634	9/20/2002	Letter to the Honorable Byron Dorgan and other letters
70	111		AAI-ACA-0009173-4	6/11/2019	Email from Greg Potter to Aaron Lowe re ETI Massachusetts Legislative Call
71	120	Conf.	GP0000192-194	7/15/2020	Email from Aaron Lowe to Greg Potter re CAR and CARE

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72	123	Conf.	GP0000014-15	12/3/2020	Email from Aaron Lowe to Greg Potter re Mass R2R
73	134		AAI-ACA-0007270-7273	7/9/2018	Email from Aaron Lowe to Brian Hickey and Ray Pohlman re Bill Language
74	141	Conf./ Highly Conf. attchmts	AAI-ACA-0026404-26418	4/24/2019	Email from Taylor Mitchell to Joe Register re Materials for Auto Care Finance Committee Meeting 4/24/2019
75	96	Conf.	AAI-GM-0000025	N/A	Product Cybersecurity: 101
76	97	Conf.	AAI-GM 0000038	11/2/2018	Global B Risk Assessment -- Cybersecurity
77	107	Conf.	AAI-GM-0000019 (native, 3 pages)	N/A	Slides re Introduction Connected Vehicle Attack Surface et seq.
78	108	Conf.	AAI-GM-0000026 (native, 25 pages)	3/24/2017	Slides re General Motors Product Cybersecurity NHTSA Overview
79	109	Conf.	AAI-GM-0000052 (native, 1 page)	N/A	Electrical Architecture Cybersecurity Capability vs Lifecycle
80					OCPF Ballot Question Committee Reports
501	74		AAI-AAI-0002214	12/1/2015	NHTSA Report to Congress: "Electronic Systems Performance in Passenger Motor Vehicles"
502				11/28/2016	Letter from Jeffrey Massimilla to Nathaniel Beuse Re: General Motors, LLC Comments, Docket Number NHTSA-2016-0104
503	35		AAI-AAI-0007328	12/13/2016	Letter from William Hanvey and others to Jack Pokrzywa and Tim Weisenberger

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504		Conf.	AAI-FCA-0010947	9/19/2017	Global Vehicle Cyber Security: Firmware Over-the-Air (FOTA)
505			AAI-GM-0000209	2/11/2019	Email chain from Tim Turvey to Aaron Lowe, copying Bill Hanvey and others Re: Vehicle Data Access
506		Conf.	AAI-FCA-0011208	2/26/2019	Massachusetts Telematics Bill and Ballot Initiative Update presentation
507			AAI-AAI-0006688	5/5/2020	Letter from John Bozella to William Long and others
508			AAI-ACA-0013352	5/19/2020	Letter from Bill Hanvey and others to John Bozzella
509				11/1/2020	Massachusetts Information for Voters, 2020 Ballot Questions
510			AAI-AAI-0006621	11/4/2020	Letter from William Hanvey to John Bozzella
511	63	Conf.	AAI-GM-0001568	11/5/2020	Email chain from Laurence Sweeney to Alfred Adams, copying Stacy Lynett and others Re: Massachusetts Right to Repair in calendar 2022
512	128	Conf.		11/9/2020	Massachusetts Question 1 (2020) Right to Repair Update presentation
513				11/25/2020	Executive Department, Council Chambers vote returns
514		Conf.	AAI-GM-0001283	3/1/2021	Body Control Module\$GMNA_BCM Global B Initialize Master Code List
515	9	Conf.		3/9/2021	Plaintiff Alliance for Automotive Innovation's First Supplemental Responses to Attorney General Maura Healey's First Set of Interrogatories

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516		Highly Conf.	AAI-GM-0004577	1/27/2021	MY20 Global B CGM Policy for Production
517		Highly Conf.	AAI-GM-0004584	1/27/2021	MY21 Global B CGM Policy for Production
518		Highly Conf.	AAI-GM-0004591	1/27/2021	MY22 Global B CGM Policy for Production
519					Craig Smith <i>curriculum vitae</i>
520					Brian Romansky <i>curriculum vitae</i>
521		Highly Conf.	AAI-GM-0001584	1/29/2021	Message Authentication Deep Dive
522			AAI-AAI-0007316	9/6/2016	Letter from AAA and others to Alliance for Automobile Manufacturers and Association of Global Automakers Re: Follow-up from August 24 Meeting
523			AAI-ACA-0022333	11/3/2016	ITS Secure Vehicle Interface presentation
524			AAI-ACA-0026065	2/12/2019	Secure ITS Framework & SVI presentation
525	103		AAI-GM-0000418	3/26/2019	Email chain from Bill Hanvey to Bill Rhodes and Tim Turvey, copying Mark Finestone and others, Re: Telematics Data
526			AAI-ACA-0008384	3/20/2019	Email chain from Aaron Lowe to Jessica Simmons and Charles Haake, copying Ray Pohlman, Re: Right to Repair DRP
527		Conf.	AAI-ACA-0000226	8/14/2018	Letter from Aaron Lowe and Ray Pohlman to Donny Seyfer

Dated: June 11, 2021

Respectfully submitted,

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By its attorneys,

/s/ Laurence A. Schoen

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CERTIFICATE OF SERVICE

I certify that on June 11, 2021, a true copy of this document will be sent electronically by the ECF system to attorneys of record identified on the Notice of Electronic Filing.

/s/ Laurence A. Schoen
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